THE PRINCIPAL

ACTS

OF THE

General Assembly

OF THE

CHURCH

OF

SCOTLAND;

Conveened at EDINBURGH, the first Day of *May* 1712.

Collected and Extracted from the Records, by the Clerk thereof.

EDINBURGH,

Printed by the Relict of *Andrew Anderson*, Printer to the Queen's most excellent Majesty, and to the Church of SCOTLAND, M. DCC. XII.

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Holden and begun at *EDINBURGH*, upon *Thursday* the First Day of *May* 1712, and ending the 15th Day of that same Month.

I.

ACT appointing the QUEEN's *Commission to His Grace JOHN Duke of ATHOL to be Recorded.*

At *Edinburgh* 1. *May* 1712. Sess. 1.

THE General Assembly being Conveened and Constituted, there was produced to them, by His Grace *John* Duke of *Athol*, Her Majesties Commission, Sealed at *Edinburgh* the 30*th* Day of *April* last, with the Seal appointed by the *Treaty of Union* of the two Kingdoms of *Scotland* and *England*, to be kept and used in *Scotland*, in Place of the Great Seal of *Scotland*, and of the same Tenor with former Commissions, Constituting him Her Majesty's High Commissioner, and Representative in this Assembly; Which Commission being publickly read, with all due Honour and Respect, it is, by Order of this Assembly, Recorded in their Books, *ad futuram Rei Memoriam.*

II.

The QUEEN's most Gracious LETTER TO THE GENERAL ASSEMBLY,

Presented to them the first of MAY 1712.

ANNE R.

RIGHT Reverend and Well-beloved, We Greet you well: We have had so much Experience of your good Conduct in your Assemblies, that We have very gladly Countenanced by Our Authority this your Meeting; And We hope that you will take it as a particular Mark of Our Regard to you, that We have appointed Our Right Trusty and Right Entirely Beloved Cousin and Counsellour, *John* Duke of *Athol* to Represent Our Royal Person in this Assembly, who, We doubt not, will be Acceptable to you. It hath always been Our Concern to Imploy Our Authority for Suppressing Vice and Immorality, and We assure you, that such Magistrates as shall be most Faithful in Executing the Laws, and Conforming themselves to Our Royal Pleasure, signified in Our Proclamations, in punishing all such Practices as are a Scandal to the Christian Profession, shall have most of Our Countenance and Favour. Lest any late Occurrences may have possessed some of you with Fears and Jealousies, We take this solemn Occasion to assure you, it is Our firm Purpose to maintain the Church of *Scotland* as Established by Law; and whatever Ease is given to those who differ from you in Points that are not Essential, We will however Imploy Our utmost Care to Protect you from all Insults, and Redress your just Complaints: As We are sensible that a Pious and Learned Ministry is (under GOD) the great Support of Christianity, so We are resolved to Countenance you in your Endeavours to promote it. The Address of the Commission of the late *General Assembly*, which was presented to Us by those Commissionated by them to take Care of their Affairs here, did so much manifest their Loyalty and good

Affection

Affection to Our Royal Person and Government, and their true Concern for the Succession in the Protestant Line, as Established by Law, that it could not but be Acceptable to Us: And it gives Us Ground to Expect, That there will be nothing in your Procedure, but what shall be Dutiful to Us, and Agreeable to the Conduct of former Assemblies: And so we bid you heartily Farewel.

Given at Our Court at St. James's, *the 17th Day of* April 1712, *in the Eleventh Year of Our Reign*;

By Her Majesties Command,

DARTMOUTH.

Directed thus,
To the Right Reverend and Well Beloved, the Moderator, Ministers and Elders of the General Assembly of the Church of that Part of Our Kingdom of Great Britain, *Called*, SCOTLAND.

III.

The General Assembly's Answer to Her Majesties most Gracious Letter.

Edinburgh, 3. *May* 1712. *Sess.* 3.

May it please your Majesty,

WE do accept with all Thankfulness Your Majesty's Royal Favour in continuing to Countenance, by Your Authority, our Meetings; And do take it as a very particular Mark of Your Regard to us, that You have been pleased to appoint the Duke of *Athol* to Represent Your Royal Person in this Assembly: A Choice for us so visibly attended with all desirable Advantages, specially considering his known Zeal for the Protestant Religion, and against all Immorality, that we cannot but acknowledge it to be most Acceptable and Obliging.

Your Majesty's great Concern to Imploy Your Authority for suppressing Vice and Immorality, doth tend so much to the Advancement of the Glory of GOD, and the Interest of our holy Religion, and withal, to the Honour of Your Majesty's Reign, and the Peace and Quiet of this Church and Country, That we must ever make it our ut-

moſt Studie and Endeavour, in our Places and Stations, to promote the Practice of true Chriſtianity, in Oppoſition to all Profaneneſs and Impiety: And it is a Satisfaction to us, that Your Majeſty is pleaſed to aſſure us, That ſuch Magiſtrates, as ſhall be moſt Faithful in executing the Laws againſt thoſe Practices which are a Scandal to the Chriſtian Profeſſion, ſhall have moſt of Your Majeſty's Countenance and Favour: And we humbly preſume to perſwade our ſelves, That Your Majeſty will, in Your Royal Wiſdom, find out ſuch Methods as ſhall be moſt proper for making Your pious Purpoſes, expreſſed in Your Proclamations, more effectual than hitherto, to our deep Regret, they have been.

The late Occurrences, which Your Majeſty is pleaſed to take Notice of, have, we muſt acknowledge, poſſeſſed us with Fears and Jealouſies: But as we have always imbraced, and do at preſent lay hold upon the Aſſurance Your Majeſty is pleaſed to give us, of Your firm Purpoſe to maintain the Church of *Scotland* as eſtabliſhed by Law, ſo we cannot but with all dutiful Submiſſion, and in that Truth and Ingenuity that becomes the faithful Miniſters and Servants of Our LORD JESUS CHRIST, put Your Majeſty in Mind of the Repreſentations and Petitions laid before You by the Commiſſion of the laſt General Aſſembly, for a Remedy in theſe Matters; humbly hoping that theſe our moſt juſt Complaints may come in due Time and Manner to be Redreſſed.

Your Majeſty's juſt Senſe, that a pious and learned Miniſtry is (under GOD) the great Support of Chriſtianity, doth greatly Encourage us, to uſe our utmoſt Endeavours for promoting of it, as being moſt firmly perſwaded, That Your Majeſties beſt Aſſiſtance to us will never be wanting in ſo good a Work.

That the Addreſs of the Commiſſion of the late General Aſſembly, preſented to Your Majeſty, aſſerting their Loyalty and good Affection to Your Majeſty's Royal Perſon and Government, and their true Concern for the Succeſſion in the Proteſtant Line, of the Illuſtrious Houſe of *Hanover*, upon which it is Eſtabliſhed by Law, was Acceptable to Your Majeſty, is to us moſt Satisfying; Specially ſince Your Majeſty is graciouſly pleaſed to take it for a Ground to expect, That there will be nothing in our Procedure, but what ſhall be Dutiful, it being indeed our moſt earneſt Deſire, ever to Teſtifie to Your Majeſty, and all Men, our moſt firm and ſteady Loyalty and Affection to Your Majeſty, and Your Government: And alſo our ſincere and zealous Concern for the Succeſſion in the Proteſtant Line, as being certainly the greateſt Securities both of our Religion and Liberties, and all that can be dear to Men.

That

That Your Majesty may be Guided and Directed of GOD in the great and weighty Affairs of Your Government, and that after a long and happy Reign upon Earth, You may be possessed of a blessed Immortality, shall be the earnest and constant Prayers of,

May it please Your Majesty,

Your Majesty's most Faithful, most Obedient and most Humble Subjects,

The Ministers and Elders, met in this National Assembly of the Church of SCOTLAND.

Signed in our Presence, in our Name, and at our Appointment, By

WILL. HAMILTON Moderator.

I V.

ACT Concerning the Admission of Infants to Baptism.

Edinburgh, 6. May 1712. Sess. 5.

CHildren born, within the Verge of the visible Church, of Parents one or both professing the Christian Religion, have a right to Baptism.

It being the Duty of Christian Parents to dedicate their Children to GOD in Baptism, and to Covenant for their Education in the Faith of Christ, no other Sponsor is to be taken, unless the Parents be dead, or absent, or grosly ignorant, or under Scandal, or Contumacious to Discipline, such being unfit to stand as Sponsors in transacting a solemn Covenant with GOD. In which Cases, the immediate Parent, who is in such Circumstances, is to be required to provide some fit Person; and if it can be, one related to the Parent of the Child should be Sponsor: But if either of the Parents, whether Father or Mother, give Evidence to Church Judicatories, and the Congregation offended, of their Repentance, for removing the Scandal, the Suspension they were under, as to Church Privileges, should be taken off, according to the Rules of this Church, and the penitent Parent should be allowed to present the Child.

In the Caſe of Children expoſed, whoſe Baptiſm after Enquiry cannot be known, the Kirk-Seſſion is to order the Preſenting of the Child to Baptiſm, and to ſee to the Chriſtian Education thereof: And it is recommended to the Pariſh to take Care of the *M*aintenance of the Child.

The Parent or Sponſor ought to ſpeak to the *M*iniſter of the Pariſh before the Child be offered to Baptiſm.

V.

A Repreſentation of the Commitee of the Society in Scotland *for promoting Chriſtian Knowledge, with an Act of the General Aſſembly thereupon.*

Edinburgh May 7th. 1712. Seſſ. 6.

Unto the very Reverend, The Moderator, and the Remanent, Reverend and Honourable Members of the General Aſſembly of the Church of SCOTLAND;

The Committee of the Society in SCOTLAND *for propagating Chriſtian Knowledge,*

Humbly Repreſents,

THAT before the Erection of the ſaid Society, the General Aſſembly 1709, by their ſixth Act, did, out of their great Wiſdom and Zeal for that pious Undertaking of propagating Chriſtian Knowledge, ſeriouſly recommend to all the *M*iniſters and Elders of this Church, to go through their reſpective Pariſhes, on ſuch Days as the ſeveral Presbyteries ſhould appoint, to receive and collect Subſcriptions and Contributions for promoving thereof; And appointed *M*iniſters on a Sabbath Day before they began this Work, to read and intimate this Act from the Pulpit to their reſpective Congregations; And to exhort and excite their People to Subſcribe and Contribute; And recommended to the ſeveral Presbyteries, to be careful to promote Subſcriptions and Collections within their Bounds, and to appoint ſome of their Number to Preach in vacant Pariſhes, and to intimate the ſaid Act, and to join with and aſſiſt the Elders or Heretors and Pariſhioners, in taking Subſcriptions and making Collections, and to call for Reports from each *M*iniſter in their Bounds, containing a particular Account of the Subſcribers, and Sums ſubſcribed for, and *M*oney collected in each Pariſh, and to ſend in an Extract thereof, ſubſcribed by their *M*oderator and Clerk, to the Clerk of the Commiſſion, now Secretary to the Society; And thereafter, upon Advertiſement, to ſend in

in the principal Subscriptions, and *Money* collected, to the Society's Treasurer.

And after the Society was constituted, they did apply to the General Assembly 1710, who, by the eleventh Act of that Assembly, did enjoin the exact Observation of the foresaid Act sixth 1709, and recommended to the several Synods concerned in the *Highlands* and *Islands*, to enquire into the State of the several Parishes in their Bounds, as to the Particulars contained in the said Act, and to send an exact Account thereof to the Secretary of the Society, subscribed by their Moderator and Clerk, that the Society might the better know what Places of the Country did most need the Assistance of Charity-Schools; And they exhorted all Ministers and other charitable Persons, to put their Contributions furthwith in the Treasurer to the Society's Hands.

And since that time, the Society in Pursuance of the pious Ends of their Erection, have, by themselves and their Committees, in the first Place, essayed all proper Means to bring in the Money subscribed for, and to procure more Subscriptions and Contributions, by dealing themselves with Persons of all Ranks of their Acquaintance, writing frequently to the reverend Synods and Presbyteries, and particular Ministers of this Church, to the Justices of the Peace in their Quarter-Sessions, and to Magistrates of Burghs, and by settling Societies of Correspondents, consisting of Gentlemen in the several Shires, and in some of the Royal Burrows; And by these Means there is come to their Treasurer's Hands about four thousand four hundred Pounds *Sterling* Money: All which, except a very small Part, is lent out upon good Security for Annualrent, to sufficient and responsal Hands.

And in the next Place, for the due Imploying of the Annualrents of this Stock, which only the Society are Impowered to dispose of, the Society and their Committees, have made it their Work, to find out the most proper Places of the *Highlands* and *Islands*, and remote Corners of *Scotland*, in which they should erect their Charity-Schools, and Persons most fit for teaching the said Schools, by writing Letters upon that Subject, to the several Synods and Presbyteries, and particular Ministers, and Gentlemen concerned in the *Highlands* and *Islands*, and to the Professors in the Universities.

And after having received all the Information that they could expect, they agreed to set up presently, eleven Charity-Schools, beside the Catechist or School-master of St. *Kilda*, in the following Places, *Viz.* One in *Abertarff*, one in *Castletoun* of *Braemarr*, a third in *Auchintoul*, both in the *Highlands* of the Shire of *Aberdeen*, a fourth in the Parish of *Larg* in *Sutherland*, a fifth in the Parish of *Dieurness* in the

Country of *Strathnavar*, a ſixth in *Erliſh* in the Presbytery of *Skye*, a ſeventh in His Grace the Duke of *Athol*'s *Highlands*, an eighth in *Glenelg*, a ninth in *Harray* in the Continent of *Orkney*, a tenth in the Iſland of *Sanday* in the North Iſles there; and the eleventh in *Zetland*.

The Society have found out a competent Number of young Men duely atteſted by their reſpective Presbyteries, and whom (upon ſuteable Tryals) they have found ſufficiently Qualified for Teaching the ſaid Schools; And they have ſettled School-Maſters in ſeveral of the foreſaid Places, and have given them Commiſſions, and the neceſſary Inſtructions, and are going on with all Diligence to ſettle the reſt; And they have allowed to the School-Maſters of the firſt eight Schools, and to the Catechiſt or School-Maſter at St. *Kilda*, each of them two hundred Pounds, and to the three Schools in *Orkney* and *Zetland*, one hundred Pound *Scots* each *per annum* of Salaries, which, with Books needful to be furniſhed, goes near to exhauſt all the Annualrents of the Money yet got in; And the Society have reſolved, as their Stock encreaſes, to ſettle free Schools alſo in the Countries of *Aſſint* and *Gairloch*, *Glenlivet* and *Inveraven*, and other remote Places that moſt need their Aſſiſtance.

So that nothing hinders the further Progreſs of that good Work, but the Want of a Fund ſufficient to carry it on: And as to this, albeit the Committee in the Society's Name, does thankfully acknowledge the commendable Zeal and Concern of ſome reverend Presbyteries and Miniſters in this Matter; Yet they cannot but regrate, that the diſtinct and excellent Method laid down by the foreſaid ſixth Act of the Aſſembly 1709, has not been ſo duely obſerved by ſome reverend Presbyteries, as might have been expected, whereby it has fallen out, that the Society cannot poſſibly get the Names of Subſcribers and Contributers, with their Sums ſubſcribed for, and contributed, ſo exactly and regularly Booked and Recorded, as they propoſed at firſt to do; nor can they for the moſt Part know what Pariſhes and Perſons in Pariſhes have contributed, which deprives them of the Means of Dealing with Perſons of Note, and others that are Deficient, and in many other Reſpects exceedingly prejudges the Work: And there are a great many Preſbyteries and Pariſhes in *Scotland*, from which there is no Contribution at all come in; And the Society are informed, that there are ſeveral Subſcriptions taken, and Money collected in ſome Pariſhes not yet brought to their Treaſurer's Hands; And there are ſeveral Subſcribers deficient in Payment, & many Perſons of Honour & Note, and others charitably Inclined, who would willingly ſubſcribe and contribute to this pious Undertaking, if they were applyed to, and dealt with for that Effect, which the Society does

attribute

attribute to Forgetfulneſs in ſome of the reverend Miniſters, or perhaps to ſome Prejudices and Miſtakes ariſing from *Miſrepreſentations*, which ſome who are no Friends to this Undertaking, do very induſtriouſly propagate, and others who are Friends to it, do too eaſily give Credit to. For removing whereof, the Society did formerly cauſe print and diſperſe a Scheme of their deſigned *Management*, and now are ready to lay their Books open to any Perſons who ſhall think fit, for their Satisfaction, to peruſe the ſame.

And ſeing this charitable and pious Undertaking is now ſo far advanced, and did it meet with ſuteable Encouragement, would prove of excellent Uſe to the Nation, both with Reſpect to its religious and civil Concerns, and that the only probable Way to promote it, is, That the reverend Judicatures and *Miniſters* of this Church, will reſolve to follow exactly the *Method* preſcribed by the former Acts of Aſſembly.

It is therefore humbly entreated, That this Venerable Aſſembly would be pleaſed again earneſtly to recommend to the reverend Presbyteries and Miniſters, the exact Obſervation of the two Acts of Aſſembly above-mentioned, and would appoint the reverend Presbyteries, to report to their ſeveral Synods an Account of what they have done at any time before this, or ſhall hereafter do, in order to foreward this pious Deſign, and particularly to require an Account of the Diligence of the ſeveral Miniſters within their Bounds in this Matter, and record their Reports in their Books, and would ordain the reverend Synods to take an Account of the Diligence of their ſeveral Presbyteries, and record their Reports in their Books; And alſo, to report an Account of their Diligence to the Commiſſion from time to time, and that the venerable Aſſembly will do what elſe they ſhall ſee proper for advancing this ſo pious and charitable an Undertaking. This in Name and by the Appointment of the ſaid Committee, is ſubſcribed by,

JA. JUSTICE, I. P. C.

THE General Aſſembly having heard and conſidered the Repreſentation of the Committee of the Society in *Scotland* for propagating Chriſtian Knowledge, giving a diſtinct Account of the Diligence of that Society, in Proſecution of the pious Ends of their Erection, and the Progreſs they have made in their Work, and of the Things that hinder the further Advance thereof; They did, and hereby do again renew the Recommendations of former Aſſemblies, to the ſeveral Synods, Presbyteries, Seſſions, *Miniſters*, and charitably inclined Perſons within this Church, deſiring that the Judicatures above-mentioned, would exactly

obſerve and follow forth the diſtinct and orderly Method preſcribed by the ſixth Act of the General Aſſembly, held in the Year 1709, and the eleventh Act of the General Aſſembly held in the Year 1710, in furthering Subſcriptions and Contributions in the ſeveral Pariſhes, and reporting the ſame to the Society. And for the better ſecuring of the Obſervation of the ſaid Acts and Recommendations, the General Aſſembly ſtrictly enjoins and appoints the ſeveral Presbyteries of this Church, to report to their Synods a diſtinct Account of what they have done at any time before this, or what they ſhall hereafter do, in order to forward this pious Undertaking, and that in the Method preſcribed by the ſaid two former Acts of Aſſembly. And particularly, the General Aſſembly appoints the ſeveral Preſbyteries again to require an Account of the Diligence of all the Miniſters within their Bounds in this Matter, and that they record the Reports of every Miniſter in their Presbytery Books. And the General Aſſembly likewiſe ordains the ſeveral Synods, to take a particular Account of the Diligence of their reſpective Presbyteries, and record it in their Synod Books. And further, the General Aſſembly hereby appoints the ſeveral Presbyteries & Synods of this Church, to ſend a full and diſtinct Report of their Diligence in this Matter, ſubſcribed by their Moderator and Clerk, in Manner preſcribed by the foreſaid ſixth Act of the General Aſſembly *Anno* 1709, and eleventh Act of the General Aſſembly 1710, to the Meeting of the Commiſſion in *December* next; And that the Commiſſion give in a Liſt of ſuch Presbyteries and Synods as ſhall omit to ſend in theſe Accounts to the next General Aſſembly. And *Laſtly*, The General Aſſembly ſeriouſly and earneſtly entreats and exhorts Perſons of all Ranks and Degrees within this Church, according to their Abilities, to contribute to the Advancement of this Charitable and Chriſtian Undertaking.

VI.

ACT Concerning the Repreſentation of Presbyteries in the General Aſſembly.

Edinburgh, 8. *May* 1712. Seſſ. 7.

THE General Aſſembly conſidering, that by the fifth Act of the General Aſſembly 1694, appointing the Number of Repreſentatives for Presbyteries, there is a Proportion obſerved, with reſpect to the Number of *Miniſterial* Charges in each Presbytery, and that the Regulation contained in the ſaid Act, is no further expreſſed, than to allow five Miniſters, and two Ruling Elders, as the Re-

Representatives of each Presbytery, whose Number exceeds Twenty four: Therefore, the General Assembly, according to the Design of the said Act, founding upon a Proportion to be observed betwixt the Number of Ministerial Charges in Presbyteries, and the Number of Representatives, doth Declare and Appoint, That each Presbytery whose Number doth exceed thirty Ministerial Charges, shall send to the General Assembly six Ministers and three Ruling Elders; And this shall take Place at the Election to the next General Assembly.

VII.

ACT Directing the right Application of the Money granted by Her Majesty, for defraying the publick Charges of this Church.

Edinburgh, 9. *May* 1712. Sess. 8.

THE General Assembly considering that the Assembly held in the Year 1709, did, by their Act dated the 25th Day of *April* that Year, discharge any more Precepts to be drawn till all former Debts of the Church were paid, and all Precepts ordered or drawn before that time, were declared payable out of the Equivalent, according to the Order of their Dates: And the said Act appoints, That Her Majesty's yearly Allowance to the Church, be, in the first Place, applyed for defraying the Charges of the Church, for that particular Year for which it is given; and if there be any Remains, that the same be applyed for Payment of the Church's Debts for preceeding Years, according to the Order of Ranking set down in the Act of the Commission, dated the 7th Day of *January* 1707: And the Church's Receiver is appointed to apply the said Money in the Manner and Order above prescribed, and that so soon as the Money comes to his Hands, he put some thereof Yearly in the Hands of one of the Agents for the Church, to be given out by him for the incident Charges of the Church, for which he shall be accountable to each General Assembly. And the General Assembly finding it necessary, that the said Rules be further explained and extended, and that the proper Uses to which the publick Money should be applyed, be fixed and determined, and that a certain Proportion thereof Yearly be allotted for the incident Charges of the Church's Affairs, and that such other Orders be laid down, as that the pressing Affairs of the Church may not be Retarded for Want of Money to Expede the same; Therefore, the *General Assembly* does hereby

Enact and Appoint, *First*, That of Her Majesty's Yearly Allowance for defraying the publick Charges of the Church's Affairs, and the Salaries of the Church's publick Servants, there be always the Sum of one hundred Pound *Sterling* Money in Reserve, for answering any extraordinary Emergents in the Church's Affairs. *Secondly*, That no Commission of any General Assembly in time coming shall have Power, and they are hereby discharged to dispose of any more of the Church's Money, but of one Year's Allowance only, reckoning the Commencement of the Year as the same is fixed by Her Majesty's Grant, *viz.* from the Twenty fourth Day of *June* in the Year preceeding: And the Commission of this Assembly is hereby allowed only to dispose of what is untouched of this Year's Allowance, reckoning the Commencement from the Twenty fourth Day of *June* last bypast, that thereby the next General Assembly, and every subsequent General Assembly of this Church, and their Commissions, may have one Year's Allowance intire, without any Anticipations or Encroachments by preceeding Assemblies or Commissions, to defray the necessary Charges of the Church, during the time of their Administration. *Thirdly*, The General Assembly Appoints, That each Year's Allowance be applyed in the first Place for defraying the stated Annual Charges of the Church Quarterly, and the necessary Exigences of each particular Year; *That is*, in such Matters only, as during the time of every Commission's Administration shall occurr, which do immediately and directly concern the publick Interest of the whole Church in general, and any Arrears of these, that shall happen to be resting: And in the next Place, for Payment of the other bygone Debts of the Church then resting, according to the foresaid Order of Ranking already established. And the General Assembly discharges any new Orders to be given, or Precepts to be drawn upon any other Accounts, until all the Church's bygone Debts be paid; But after Payment of all prior Debts, the General Assembly allows the several Commissions to bestow that which remains of each Year's Allowance, to such other Uses of the Church as they shall judge most proper. *Fourthly*, The General Assembly hereby Provides and Declares, That no Appointments upon the Procurator or Agents for the Church to manage Processes for particular Synods, Presbyteries or *Ministers*, shall in time coming warrand the Agents to lay out any *Money* thereupon, except there be a special Order of a General Assembly, agreeable to the present Rules, expresly appointing them to that Effect. *Fifthly*, The General Assembly Appoints, That twelve Pounds ten Shillings *Sterling Money* Quarterly, as the Church's *Money* comes in, be lodged in the Hands of one of the Agents for the Church, for defraying the said incident Charges, for which they are hereby ordered

to

make an Account at each General Assembly; And if y Ballance shall be found due to them, the same shall paid to them, and the Sum of twelve Pounds ten Shillings *Sterling* further; Or, if the Ballance that shall be found ue by them, shall not extend to that Sum, the said Sum all be made up to them out of the first Money that comes after clearing their Accompts as said is, including this ear. And *Lastly*, The General Assembly Appoints the eceiver of the Church's Money, in his depursing thereof time coming, strictly to observe the foresaid Rules, and ischarges him to make Payments in any other Manner or Order, as he will be Answerable to the General Assemblies f this Church.

VIII.

Commission by the General Assembly to some Ministers and Ruling Elders, for discussing diverse Affairs referred to them.

Edinburgh, 9. *May* 1712. *Ante Merid.* Sess. 8.

THE General Assembly taking to their Consideration, that there are diverse weighty Affairs, which they cannot overtake; Do therefore Nominate and Appoint their Reverend Brethren, Masters *William Hamilton* Professor of Divinity in the College of Edinburgh their Modederator, *William Mitchel* at Dundee, *John Law* at Edinburgh, *George Hamilton* there, *Hugh Campbell* at Mure-kirk, *Thomas Vernor* at Balmaclellan, *Patrick Simpson* at Renfrew, *Daniel M'Laurin* at Kilfinan, *Walter Campbell* at Dunoon, *Daniel Campbel* at Kilmichael, *Alexander Campbell* at Inverary, *William Brodie* at Fortwilliam, *Daniel Morison* at Kilbranden, *James Boes* at Campbeltoun, *Dougald Campbell* at Southend, *Daniel M'aulay* at Braccadale, *Martine M'pherson* at Sleat, *George Frier* at Lethandie, *Alexander Glass* at Kinclaven, *Alexander Chapman* at Monedie, *James Stewart* at Mulliens, *Samuel Nairn* at Erroll, *John Tullidelph* at Dumbarnie, *Thomas Black* at Perth, *Thomas Fisher* at Rind, *Archibald Moncrieff* at Blackford, *John Drummond* at Crieff, *Andrew Brugh* at Mathertie, *Hugh White* at Lerbert, *James Brisbane* at Stirling, *Alexander Hamilton* at Airth, *Matthew Wallace* at Kincardine, *Hugh Walker* at Lecrop, *Thomas Buchanan* at Dumfermline, *Archibald Campbell* at Dalgatie, *Allan Logan* at Torrieburn, *David Pitcairn* at Dysert, *John Cleghorn* at Wemyss, *Ebenezer Erskine* at Portmoig, *George Gilespie* at Stramiglo, *Alexander Anderson* at Falkland, *Thomas Thomson* at Auchtermoughtie, *John Stark* at Logie, *James Hadow* Princi-

pal of the new College of St. Andrews, *William Moncrieff* at Largo, *William Hardie* at St. Andrews, *John Craigie* at St. Monance, *Joseph Drew* Principal of the Leonardine College of St. Andrews, *James Ramsay* at Bendochie, *John Thomson* at Elioth, *David Thomson* at Meigle, *Samuel Johnston* at Dundee, *James Mar* at Muras, *George Blackie* at Inchsture, *James Goodsir* at Strick-martine, *James Adams* at Kinnaird, *Charles Charters* at Aberelliot, *John Henderson* at Kirkdeen, *George Wemyss* at Ferne, *John Williſon* at Brichen, *James Trail* at Montroſe, *David Ramsay* at Fettercairn, *David Burn* at Fittereſso, *William Trail* at Benholme, *Thomas Kinier* at Echt, *Martine Shank* at Upper-bauchory, *Thomas Blackwal* Profeſsor of Divinity in the Mariſhal College of Aberdeen, *Alexander Mitchel* at Belhelvie, *David Anderſon* Profeſsor of Divinity in the King's College of Aberdeen, *George Moir* at Towie, *William Thaine* at Leſlie, *James Gordon* at Burtie, *George Skeen* at Kinkell, *Alexander Auchinleck* at Fraſerburgh, *John Mercer* at Tyrie, *William Forbes* at Tarves, *Henry Licklie* at Old-Meldrum, *Peter Darline* at Boyndie, *John Turring* at Drumblete, *John Gilchriſt* at Keith, *Hugh Innes* at Mortlith, *James Thomſon* at Elgin, *Hugh Anderſon* at King-Edward, *David Dalrymple* at Dundarcus, *George Lindſay* at Rothes, *James Chapman* at Cromdale, *Daniel M'kenzie* at Kinguiſie, *James Gordon* at Kinloſs, *Charles Primroſe* at Forreſs, *Robert Baillie* at Inverneſs, *William Stewart* there, *George Gordon* at Cromarty, *John Moriſon* at Garlock, *Hugh Duff* at Ferne in Roſs, *Daniel M'killikin* at Killimure Weſter, *Walter Dunoon* at Golſpie, *William Innes* at Thurſo, *William M'beth* at Olrig, *Thomas Baikie* at Kirkwall, *James Sands* at *Birſay*, *William Blaw* at Weſtray, *Alexander Nisbet* at Shappinſhay, *James Buchan* at Northmaven, *James Miln* at Lerwick, *William Carſtares* Principal of the College of Edinburgh, *William Wiſhart* at Edinburgh, *John Flint* at Edinburgh, *John M'laren* there, *William Mitchel* there, *James Grierſon* there, *Samuel Semple* at Libbertoun, *Thomas Miller* at Kirkliſtoun, *Alexander Dalgliſh* at Linlithgow, *John Brand* at Borrowſtounneſs, *John Brown* at Abercorn, *Robert Livingston* at *Biggar*, *John Buchanan* at Covingſtoun, *Alexander Walker* at Kircurd, *James Robertſon* at Eccleſtoun, *John Wallace* at Drumelzier, *Patrick Cuming* at Ormiſtoun, *David Walker* at Temple, *William M'George* at Pennicook, *Matthew Reid* at Northberwick, *John Currie* at Haddingtoun, *Robert Horſebrugh* at Salt-Preſtoun, *George Turnbul* at Tyninghame, *Andrew Brown* at Spot, *John Lawder* at Eccles, *Lawrence Johnſton* at Dunſe, *Gilbert Lawrie* at Hutton, *John Dyſert* at Coldinghame, *Alexander Lauder* at Mordingtoun, *James Ramſay* at Kelſo, *John Glen* at Stitchell, *James Dowglaſs* at Stow, *David Brown* at Gordon, *William M'ghie* at Selkrig, *Thomas Boſtoun* at Etrick, *Daniel M'kay*

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at Jedburgh, *Alexander Colden* at Oxnam, *James Noble* at Eccford, *Robert Darling* at Ewes, *Robert Bichet* at Midlehie, *George Mulligen* at Moffat, *Patrick Hume* at Kirkmichael, *Francis Lindſay* at Johnſtoun, *William Vetch* at Drumfreis, *James Guthrie* at Iron-gray, *Alexander Robertſon* at Tinwald, *Robert Paton* at Drumfreis, *James Elder* at Kier, *Thomas Tod* at Deriſdeer, *Andrew Cameron* at Kirkcudbright, *Samuel Spaldine* at Partoun, *James Monteith* at Borgue, *Robert Rowan* at Peninghame, *Thomas Campbell* at Monygaff, *Walter Lawrie* at Stranrawer, *Robert Ferguſſon* at Calmunell, *Alexander Kennedy* at Stratoun, *Andrew Roger* at Galſtoun, *Henry Adam* at Kirkoſwald, *James Lawrie* at Dalrymple, *William Maitland* at Mauchline, *John Glaſgow* at Kilbirnie, *John King* at Dalry, *William Wright* at Kilmarnock, *John Paiſly* at Lochinnoch, *Robert Wodrow* at Eaſtwood, *Robert Maxwell* at Kilmacolm, *Robert Wyllie* at Hamiltoun, *John Hamilton* at Strathaven, *John Muirhead* at Cambuſnetham, *Thomas Linnen* at Leſmahego, *John Scot* at Carluck, *Robert Gray* at Wiſtoun, *John Stirling* Principal of the College of *Glaſgow*, *James Brown* at Glaſgow, *James Clerk* there, *James Stirling* there, *John Ritchie* at old Kilpatrick, *John Anderſon* at Dumbartoun, *David Fleckfeild* at Balfron, Miniſters; His Grace *John* Duke of Athol, *William* Marqueſs of Lothian, *John* Earl of Rotheſs, *David* Earl of Buchan, *William* Earl of Kilmarnock, *James* Earl of Finlater, *John* Earl of Rutherglen, *Patrick* Earl of Marchmount, *James* Earl of Hyndford, *David* Earl of Glaſgow, *Charles* Lord Yeſter, *William* Lord Strathnaver, *William* Lord Forbes, *William* Lord Roſs, *Robert* Lord Burgleich, Sir *Hugh Dalrymple* of Northberwick Lord Preſident of the Seſſion, Sir *John Maxwell* of Nether-Pollock, *Adam Cockburn* of Ormiſtoun, Sir *Gilbert Eliot* of Minto, Sir *Alexander Ogilvie* of Forglen, *Mr. John Murray* of Bowhill ſix of the Senators of the College of Juſtice, Sir *James Steuart* Lord Advocate, Sir *David Dalrymple* of *Hailes*, *Mr. John Campbell* of Mamore, *Mr. Francis Montgomerie* of Giffan, *Mr. William Dalrymple* of Glenmuir, *Mr. Arthur Forbes* of Breda, Colonel *John Erskine* of Carnock, Sir *James Campbell* of Ardkinglaſs, Sir *James Campbell* of Auchinbreck, *Dougald Campbell* of Ruddill, *John Campbell* of Knockreoch, *John M'leod* of Contilick Tutor of *M'leod*, Captain *James Menzies* of Comrie, *William Auſtine* Provoſt of Perth, Sir *James Campbell* of Aberuchill, *Cuninghame* of Balquhan, *Mr. Alexander Abercrombie* of Tillibodie, *John Crocket* Baillie of Kincardine, Lieutenent Colonel *John Erskine* Deputie Governour of Stirling Caſtle, *Mr. Robert White* of Bennochie, *Mr. Lawrence Keir*, *John Maxwell* of Leckiebank, Mr. *Robert Coock* Advocate, Captain *Robert Nairn* in the Elie, *Thomas Miller* Writer in Alyth, *John Scrimzeor* of Teilen, *Arthur Forbes* of Echt, *John Roſs* of

Arnage Provoſt of Aberdeen, Captain *John Forbes* of Boyndlie, *Ludovick Grant* of that Ilk, Colonel *Alexander Grant* of that Ilk, Captain *John Grant* of Eaſter-Elchies, Sir *Henry Innes* of that Ilk, *Mr. James Brodie* of Whitehill, *Hugh Roſs* of Kilravock, Sir *Robert Monro* of Foulis, *George Monro* of Newmore, Sir *William Gordon* of Dalpholly, *Mr. John Mitchell* of Weſtſhore, *Mr. Alexander Dundas* Doctor of Medicine, Sir *Robert Blackwood* of Pitrevie Lord Provoſt of Edinburgh, *John Duncan* Dean of Gild there, *William Livingſtoun* Deacon Conveener there, *Walter Steuart* of Pardivin, *William Baillie* of Lammingtoun, *John Frier* Provoſt of Peebles, Sir *John Clark* of Pennycook, Sir *Robert Sinclair* of Stevenſtoun, *Mr. James Hamilton* of Pancaitland, Sir *William Baird* of Newbyth, Sir *James Steuart* of Goodtrees Her Majeſty's Solicitor, *Mr. James Colvil* Advocate, Sir *John Swinton* of that Ilk, Sir *John Steuart* of Allanbank, *George Baillie* of Jerviſwood, Sir *John Pringle* of Stitchell, Sir *Gilbert Eliot* of Stobs, Sir *Walter Riddel* of that Ilk, *James Pringle* of Buckholm, *James Grahame* of Shaw, Sir *Thomas Kirkpatrick* of Closburn, *Robert Corbet* Provoſt of Drumfreis, Colonel *William Maxwell* of Cardoneſs, *John Martine* of Little-aries, Sir *James Agnew* of Lochnaw, Sir *Charles Hay* of Park, *John Cuninghame* of Enterkine, Captain *John Campbell* of Over-walwood, Sir *Robert Pollock* of that Ilk, Sir *David Steuart* of Cultneſs, *Hugh Montgomery* of Heartfield, *Thomas Carmichael* of Eaſtend, *Robert Roger* Provoſt of Glaſgow, Sir *James Smollet* of Bonhill, Sir *Walter Pringle* Advocate, Mr. *James Gelly* Advocate, Mr. *William Brodie* Advocate, Mr. *Thomas Rigg* Advocate, Mr. *Walter Steuart* Advocate, Mr. *Gilbert Burnet* Advocate, *George Warrander* of Lochend, Dr. *William Steuart* of *Ambriſmore*, Mr. *David Mitchel* Doctor of Medicine, and Mr. *James Baillie* Writer to the Signet, Ruling Elders; To be Commiſſioners of the General *Aſſembly*, to the Effect aftermentioned; With Power to the ſaid Perſons, or their *Quorum*, which is hereby declared to be any Thirty One of the ſaid Commiſſioners, whereof Twenty One are always to be Miniſters, to meet and conveen within the *Aſſembly* Houſe at *Edinburgh*, the firſt Day after the Diſſolution of this *Aſſembly*, at Ten of the Clock in the Forenoon, and afterward the third *Wedneſday* of *July*, firſt *Wedneſday* of *December*, and ſecond *Wedneſday* of *March* next to come, and oftner, when or where they ſhall think needful and convenient, with Power to the ſaid Commiſſioners to chooſe their own Moderator: *And* ſicklike, the General *Aſſembly* fully Impowers and *Authoriſes* their ſaid Commiſſion, or their *Quorum* above-mentioned, to Cognoſce and finally Determine as they ſhall ſee Cauſe, in every *Matter* referred, or that ſhall be referred to them, by any *Act* or Order of this General *Aſſembly*, and to do every Thing con-

contained in, and conform to the Instructions to be given them by this Assembly, and to Advert to the Interests of the Church on every Occasion, that the Church and present Establishment thereof, do not suffer or sustain any Prejudice, which they can prevent, as they will be answerable, providing this general Clause be not extended to particular Affairs or Processes before Presbyteries or Synods, that are not of universal Concern to, or Influence upon this whole Church. And it is Declared and Appointed, That what shall be determined at one Diet of the said Commission, shall be Unalterable by any other Diet thereof, and shall stand and continue in Force till Disapproven by the General Assembly. And the said Commissioners are hereby strictly Prohibited and Discharged, to meddle in any other Matters than what are committed or referred to them as above-mentioned; And in all their Actings, they are to proceed according to the Acts and Constitutions of this Church, and do nothing contrair thereto, or to the Prejudice of the same: Declaring, That in and for all their Actings, they shall be *Accountable* to, and Censurable by the next General *Assembly*, as they shall see Cause: *And* this Commission is to continue and endure until another Commission be appointed, and Members are required to attend the Diets of the said Commission, and *Absents* therefrom ordered to be noticed, according to the seventeenth *Act* of the General *Assembly* 1706; *And* for the better securing of a *Quorum* and *Attendance* of Members on the Commission, the General *Assembly* prohibites the Presbytery of *Edinburgh*, and other Presbyteries within twelve Miles thereof, to meet any of the Days or Weeks appointed for *Meetings* of the Commission, and such of the Members of these Presbyteries as are on the Commission, are required all of them to give punctual *Attendance* on the Diets thereof, and Presbyteries at a greater Distance, who have four or moe *Members* on the Commission, are to take Care that at least two of them attend each Diet of the Commission.

IX.

Instructions by the General Assembly to their Commission.

Edinburgh, 9. May 1712. Ante Merid. Sess. 8.

1. THE Commission are Appointed and Impowered to take Care, that what is Enacted and Ordered by this Assembly, be duely observed by all concerned.

2. The Commission, as often as they see Cause, are Impowered to apply to Her Majesty, or any Inferiour Magistrate, for their Countenancing of, and Concurring with the Judicatories of the Church, in what the Law allows, and for putting in Execution the Laws against Popery and Profaneness, and seeking Redress of Grievances, Abuses and Disorders, committed contrary to the established Doctrine, Worship, Discipline, and Presbyterian Government of this Church, the Contempt of the Censures of the Judicatories thereof, inflicted on scandalous Persons, and to assist Presbyteries and Synods in planting vacant Kirks, as they shall be applyed to by them, for that Effect.

3. The Commission are appointed to use all proper Means to preserve and maintain all the Rights and Privileges of this Church, and to obtain a Redress of what is grievous to us, with respect to the same, and to send Commissioners to *London* for that Effect, if they see Cause.

4. When any of the Ministers who served under the late Prelacy, whose Lives and Doctrine may render them Useful to this Church, shall apply for Reception into Ministerial Communion, and a Share of the Government of this Church, the General Assembly do hereby Impower and Recommend to their Commission, to receive them, according to the thirteenth Paragraph of the sixteenth Act of the General Assembly One thousand six hundred ninety seven: And the foresaid Commission are to be Careful to get due Information from the Presbyteries, where the Person applying did, or does Officiate, and for the time resides.

5. The Commission are instructed to use all Diligence in getting Payment of the Money gifted by Her Majesty for defraying the publick Charges of the Church, and to see that the Rules and Orders laid down in the seventh Act of this Assembly, Intituled, *Act directing the right Application of the Money granted by Her Majesty for defraying the publick Charges of this Church*, or established by the Acts of former Assemblies, for the right Application of the publick Money, consistent with the said Act seventh, be punctually observed.

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6. The Commission are Impowered to Cognosce, and finally Determine in all References already made, or to be made by this Assembly, and in References and Appeals for transporting Ministers to the *North*, the *Highlands* and *Islands*, which shall be brought before them, according to the Overtures made thereanent, *Anno* One thousand six hundred ninety nine; And Transportations to any Parish in these Places, whether Privileged by former Acts of Assembly or not, are to be carried on in the most expedite Way, providing that the Commission do not meddle with Sentences of Synods, excepting Causes particularly referred to them.

7. The said Commission are Impowered to appoint Fasts and Thanksgivings, as they shall see Occasion, and specifie the Causes thereof, and apply to Her Majesty for the civil Sanction thereto.

8. The Commission are Impowered to give all due Assistance to any Proposals that may be made to them about Endeavours for Reformation of Manners, and for the more effectual Curbing and Suppressing of Profaneness and Vice.

9. The Commission are Impowered to give all due Assistance to any Synod or Presbytery, in difficult Cases, as they shall be applyed unto by them for that Effect.

10. The Commission are appointed to take special Care, to keep and maintain Unity in the Church, upon all Emergents; Especially among the Ministers thereof, and to gain such as do separate therefrom; and to suppress Error and Schism in this Church, and prosecute the Authors and Spreaders of Books and Pamphlets tending thereto, as is by a former Act recommended to Presbyteries; And to take Notice, how any who have been Censured by preceeding Assemblies, or Commissions of the same, have carried, and to proceed to further Censure, as the Commission shall see Cause. And further, this General Assembly does hereby renew the first Paragraph of the Eighteenth Act of the General Assembly held *Anno* One thousand seven hundred and six, concerning Schism and Disorders, and appoints the same to stand as an Instruction to this Commission.

11. The said Commission are to take Notice of what Misrepresentations shall be made, either at Home or Abroad, of the Doctrine, Worship, Discipline, or Constitution of this Church; And to take all decent and proper Methods for the Vindication thereof.

12. The said Commission are to endeavour to make effectual whatever hath been by this, or preceeding Assemblies agreed upon, concerning the Erecting of Schools in the *North*, the *Highlands* and *Islands*, and what else may tend to the Advancement of Religion and Reforma-

tion in these Places, and to keep a Correspondence with the Society for propagating Christian Knowledge, and their Committee, and to give them all suteable Assistance and Encouragement, according to the Eleventh Act of the General Assembly One thousand seven hundred and ten thereanent, which is hereby Renewed.

13. The said Commission are Appointed and Impowered to use their Endeavours, for getting a legal School erected in every Parish, according to Law, for putting in Execution the Fifth Act of the General Assembly, held *Anno* One thousand seven hundred and seven, Intituled, *Act anent a School in every Parish*: And also, to hold Hand to the Execution of the Eighth Act of that same Assembly, Intituled, *Act for suppressing of Popery, and preventing the Growth thereof.* And likewise the Fifteenth Act of that Assembly, Intituled, *Act against Innovations in the Worship of GOD.*

14. The Commission are appointed to have a special Respect, so far as the present Circumstances do require, to the Ninth Act of the General Assembly, held in the Year One thousand seven hundred and three, concerning the planting vacant Churches in the *North*, the *Highlands* and *Islands*, and supplying thereof with Ministers and Probationers: And the Commission are hereby Impowered to proceed according to the said Act, in so far as they shall find it needful.

15. The said Commission are Impowered to receive any Representations or References that shall be made to them by Presbyteries, and others concerned, about large and spacious Parishes, and use all Means proper for them for obtaining, and also rendring effectual, and preserving new Erections in such Parishes, or Stipends to Collegiate Ministers thereto.

16. The said Commission are Impowered and Appointed to prosecute the Instructions given by the General Assembly, held in the Year One thousand seven hundred and six, to their Commission, in so far as what is therein appointed, is not already done; and particularly, to use all Means in their Power for Extirpating idolatrous and superstitious Practices, and to enquire how former Orders about the same, and concerning the *Irish* Bibles, Psalm Books and Catechisms, and Libraries, have been observed, and to dispose upon such of these Bibles as yet remain, or any Libraries that may come to Hand.

17. The said Commission are Impowered to give all due Assistance to the several Universities and Colleges, when any Minister is called to any Office therein, and to receive Appeals and References, and finally to determine in the same.

X. *ACT*

X.

ACT approving of the Representations and Addresses made by the Commission of the late General Assembly to the QUEEN, concerning the Toleration and Patronages.

Edinburgh, May 13. 1712. Sess. 11.

THE General Assembly having considered the Proceedings of the Commission of the late General Assembly, with Relation to publick Affairs, and in particular, having had produced and read before them, the Representations made by them to Her Majesty, concerning the Bill, Intituled, *A Bill to prevent the disturbing of those of the Episcopal Communion in* Scotland, *in the Exercise of their religious Worship, and in the Use of the Liturgy of the Church of* England, *and for repealing an Act against irregular Marriages and Baptisms*, then depending in Parliament; And the *Bill for restoring of Patronages*, which were reserved by them in their Approbation of the Proceedings of the said Commission: The General Assembly did by their Vote, and hereby do unanimously Approve and Ratifie the foresaid Proceedings of the said Commission in the Premisses, and particularly the said Representations, as having been most Faithful and Seasonable. And in Token of their said Approbation, they hereby ordain the said Representations to be here inserted *Verbatim*, as follows,

To the QUEEN's most Excellent MAJESTY,

The most humble Representation and Petition of the Commission of the late General Assembly of the Church of SCOTLAND.

May it please Your Majesty,

'THE Church of CHRIST in *Scotland*, being, as we 'apprehend, in Hazard of sad Alterations and Inno-'vations, Inconsistent with, and Contrary to that happy 'Establishment, secured to us by the Laws both of GOD 'and the Realm, from a Bill, Intituled, *A Bill to prevent 'the disturbing those of the Episcopal Communion in* Scot-'land, *in the Exercise of their religious Worship, and in the 'Use of the Liturgy of the Church of* England, *and for Re-'pealing the Act against irregular Baptisms and Marriages.* 'We do in all Duty and Humility, flee to Your Majesty's 'Royal Protection, so often and so graciously assured to 'us, both by Your Royal Word and Letters.

'If the Matters in Queſtion, did only relate to our own 'Eaſe and better Accommodation, we ſhould patiently 'bear the ſame: But when we ſee the Glory of GOD, and 'the Power and Purity of our holy Religion, and of the 'Ordinances of JESUS CHRIST in this Church, ſo 'much Concerned, and the Peace and Quiet thereof, and 'of this whole Country, ſo viſibly in Danger, to the Pre-'judice of Your Majeſty's Honour and Government: We 'cannot but hope, That Your Majeſty will allow us to 'plead our juſt Right, with that gracious Liberty You are 'pleaſed to give the meaneſt of Your Subjects.

'When after the great and many Hardſhips, Troubles and 'Viciſſitudes, wherewith the Church of *Scotland* had been 'toſſed, even from its firſt Reformation from *Popery*, it pleas'd 'our gracious GOD, at, and by the late happy Revolution, to 'bleſs us with a full and compleat Reſtitution, and that by 'the *Claim of Right*, and the *Acts of Parliament* following, 'viz. the Fifth Act of the Parliament 1690, Intituled, *Act 'ratifying the Confeſſion of Faith, and ſettling Presbyterian 'Church Government*. Whereby Presbyterian Church Go-'vernment, is Eſtabliſhed, Ratified and Confirmed, *as the 'only Government of CHRIST's Church within this King-'dom*, Reſcinding, Annulling and making Void all Acts 'of Parliament, Statutes and Ordinances in the contrary, 'Allowing and Declaring the general Meeting and Repre-'ſentatives of the Presbyterian Miniſters and Elders, in 'whoſe Hands the Exerciſe of the Church Government is 'Eſtabliſhed, to have Power to Try and Purge out all In-'ſufficient, Negligent, Scandalous and Erroneous Mini-'ſters, by due Courſe of Eccleſiaſtical Proceſs and Cenſure. 'And likewiſe, to Redreſs all other Church Diſorders. By 'which Act it is evident, That Presbyterian Church Go-'vernment being thus Eſtabliſhed, the Miniſters and Elders 'of this Church, have all the Powers committed by Our 'LORD and MASTER, to His Miniſters and Officers, to 'Watch over the Flock, and to Guard againſt all Uſurpers 'and Intruders. *Secondly*, By the Twenty third Act of the 'Parliament 1693, Intituled, *Act for ſettling the Quiet 'and Peace of the Church*. Whereby it is expreſly Statute 'and Ordained, That no Perſon be Admitted or Continued 'to be a Miniſter or Preacher within this Church, unleſs 'he firſt take and ſubſcribe the Oath of Allegiance and 'Aſſurance, and alſo ſubſcribe the *Confeſſion of Faith*, as 'the Confeſſion of his Faith; And likeways, That he 'Owns and Acknowledges *Presbyterian Church Govern-'ment*, to be the only *Government* of this Church. And 'further, That he Obſerve the Uniformity of Worſhip, 'and of the *Adminiſtration* of all publick Ordinances, as 'the ſame are at preſent Performed and *Allowed* within 'this Church; *And* that no Miniſter or Preacher be *Admit-*

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'ted or Continued, unleſs that he ſubſcribe to Obſerve, and 'do actually Obſerve the foreſaid Uniformity. *Thirdly*, By 'the Twenty ſecond Act of Parliament 1695, Intituled, '*Act againſt Intruding into Churches without a legal Call and* '*Admiſſion thereto*. By which Act it is Statute and Declared, 'That whoever ſhall Intrude themſelves into any Church, 'or ſhall Exerciſe any part of the Miniſterial Function 'within any Pariſh, without an orderly Call from the 'Heretors and Elderſhip, and legal Admiſſion from the 'Presbytery of the Bounds, ſhall be Removed, and alſo 'Incapable for the Space mentioned in the Act. And '*Fourthly*, By the Third Act of the Parliament 1702, In-'tituled, *Act for ſecuring the Proteſtant Religion, and Preſ-'byterian Government*; Whereby the foreſaid Act 1690 is 'fully Ratified. By which Acts, and ſeveral others to that 'Purpoſe, which we humbly preſume to lay together, for 'Your Majeſty's more full Information; We with all Sub-'miſſion conceive, That Presbyterian Church Government, 'is as fully Settled and Secured as could be deviſed; And as 'the Worſhip, Diſcipline and Government of this Church, 'were Complyed with, and Submitted to, without any 'Separation in all times ſince the Reformation, when Preſ-'byterian Government was eſtabliſhed by Law; So there 'is no Reaſon to doubt, but the ſame chearful and univer-'ſal Complyance had been given thereto, at, and ever ſince 'the late happy Revolution, if it had not been for that 'woful Seed of Diſaffection to the Revolution, and Your 'Majeſty's Government, as thereby eſtabliſhed, and which 'indeed hath been the principal, if not the only Cauſe of 'theſe few Proſecutions, that occaſion ſo loud and unjuſt a 'Clamour.

'But that Your Majeſty may be further ſatisfied of the 'Injuſtice of theſe Calumnies, wherewith we are Reproach-'ed for exceſsive Rigour, we cannot but lay before Your 'Majeſty, this pregnant Inſtance of our Moderation; That 'ſince our late happy Eſtabliſhment, there have been taken 'in, and continued hundreds of diſſenting Miniſters, upon 'the eaſieſt Terms. And we are further aſſured, That 'when any juſt Trial ſhall be made, we ſhall ever be found 'inclined to all the Chriſtian Tenderneſs, that can be ex-'pected from ſuch as fear GOD, and love our LORD 'JESUS CHRIST in Sincerity. Your Majeſty then by 'what is here humbly Repreſented, may plainly perceive 'what Security we have for our preſent Settlement before 'the Union; But then, in Order to the Union, and for 'facilitating thereof, we have the Sixth Act of the Parlia-'ment 1707, Intituled, *Act for ſecuring the Proteſtant Re-'ligion, and Presbyterian Government*; Whereby the haill 'Acts above ſet down, are Ratified and Approven: And 'Your Majeſty further, with Advice and Conſent of the 'Eſtates of Parliament, expreſly Provides and Declares,

'That the foresaid true Protestant Religion, contained in 'the above-mentioned *Confession of Faith*, with the Form 'and Purity of Worship presently in Use within this Church, 'and its Presbyterian Church Government and Discipline; '*All established by the foresaid Acts of Parliament, pursuant to* 'the *Claim of Right, shall remain and continue Unalterable*. 'And that the said Presbyterian Government, shall be the 'only Government of the Church within the Kingdom of '*Scotland*. And further, That after the Decease of Your 'Majesty, (whom GOD long preserve) the Sovereign 'succeeding, shall in all Time coming, at His or Her Ac- 'cession to the Crown, Swear and Subscribe, *That they* '*shall inviolably Maintain and Preserve the foresaid Settle-* '*ment of the true Protestant Religion, with the Government,* '*Worship, Discipline, Rights and Privileges of this Church,* '*as above by Law established*. And it is further Statute and 'Ordained, That this Act of Parliament, with the Estab- 'lishment therein-contained, shall be Held and Observed 'in all Time coming, as a fundamental and essential Con- 'dition of any *Treaty of Union* to be concluded betwixt 'the two Kingdoms, without any *Alteration* thereof, or '*Derogation* thereto in any sort whatsoever: As also, That 'this Act of Parliament, and Settlement therein-con- 'tained, shall be insert and repeated in any Act of Parlia- 'ment that should pass for Agreeing or Concluding the 'foresaid *Treaty of Union* betwixt the two Kingdoms; 'And that the same shall be therein expresly Declared, to 'be a fundamental and essential Condition of the said *Trea-* 'ty or Union, in all Time coming: And accordingly, and 'that our Church might have the Plenary Security above 'Provided, and that as was then plainly said, and as the 'Acts sufficiently Import, our Security above-mentioned 'might be Stated and Established, in a manner, even be- 'yond the Reach of Parliament: In both Acts of Parlia- 'ment past in both Kingdoms, Ratifying and Approving 'the *Treaty of Union*, the foresaid Act for securing the Pro- 'testant Religion, and Presbyterian Church Government, 'is expresly insert: And it is thereby Statute and Ordain- 'ed, That this Act, with the Establishment therein con- 'tained, shall be Held and Observed in all Time coming, 'as a fundamental and essential Condition of the foresaid 'Treaty of Union, without any *Alteration* thereof, or *Dero-* 'gation thereto, in any sort for ever.

'This being our Great and Plenary Security in Law, 'that we have for our present Church Government and 'Establishment; And we being in Danger, on the other 'Hand, of Alterations and Innovations, intended by the 'foresaid Bill, depending before the honourable House of 'Commons; Wherein, beside the hard Reflections contained 'in the Preface, it is proposed to be Enacted, That Episcopal 'Dissenters shall have Liberty to Meet and Assemble, for

'the

'the Exercise of Divine Worship in their own Manner,
'and to use in their Congregations the Liturgy of the
'Church of *England*, without any Disturbance; And that
'for Qualifying such Pastors, Episcopal Orders, and pre-
'senting Letters of their Orders to the Justices of Peace,
'shall be sufficient: And that no Person or Persons shall
'incurr any Penalty whatsomever, upon Account of His
'or Their resorting to the said Episcopal Meeting: And
'that it shall be Free and Lawful for all the Subjects in
'that Part of *Great Britain* called *Scotland*, to Assemble and
'Meet for Divine Service, without any Disturbance, and
'to settle their Congregations where they think fit: And
'for the Episcopal Ministers, not only to Pray and Preach
'in these Congregations, but to administer the Sacraments,
'and Marry without incurring any Pain or Penalty whatso-
'ever, without any other Caveat that appears for their
'Doctrine, save, that they shall not deny in their Preaching
'or Writing, the Doctrine of the blessed Trinity: And withal,
'That the Presbyterian Clergy are still allowed to inflict Ec-
'clesiastical Censures upon these of their own Communion,
'which plainly imports an Exemption of all who shall dis-
'own their Communion, we cannot but in the first Place ex-
'press our Astonishing Surprise, and deep Affliction, to hear
'of such a Bill, offered for such a large, and almost bound-
'less Toleration, not only threatning the Overthrow of this
'Church, but giving a large Licence almost to all Errors
'and Blasphemies, and throwing up all good Discipline, to
'the Dishonour of GOD, and the Scandal and Ruine of
'the true Christian Religion, and the infallible Disturbance
'of the Quiet, and to the Confusion of this Church and Na-
'tion. And therefore, in the next Place, we do in all Hu-
'mility, but with the greatest Earnestness, Beseech, nay,
'Obtest Your Majesty, by the same Mercy of GOD that
'restored this Church, and raised Your Majesty to the
'Throne, to Interpose for the Relief of this Church, and
'the Maintenance of the present Establishment, against
'such a manifest and ruining Encroachment, in such Manner,
'as, in Your Royal Wisdom and Justice, You shall think fit.

'That the gracious GOD may ever guide Your Maje-
'sty with His Counsel, till after a long and happy Reign
'upon Earth, He Crown You with Glory in Heaven, shall
'be the earnest Prayers of,

May it please Your Majesty,
Your Majesty's most Faithful, most Obedient,
and most humble Subjects,
The Ministers and Elders, Commissioners of the late
General Assembly of the Church of *Scotland*:

Signed in our Name, and at our Appointment, by
Sic subscribitur, WILLIAM MITCHEL *Moderator.*

To the QUEEN's most Excellent MAJESTY,

The humble Addreſs and Repreſentation of the Commiſſion of the late General Aſſembly of the Church of SCOTLAND.

May it pleaſe Your Majeſty,

'THO' we cannot forbear to regret the Want of Succeſs in our Endeavours, with Relation to a Bill 'lately paſt into an Act, Intituled, *An Act for preventing 'the Diſturbing of thoſe of the Epiſcopal Communion in* Scotland, *in the Exerciſe of their religious Worſhip, and in the Uſe 'of the Liturgy of the Church of* England; Yet ſeing we muſt 'ſtill judge, That the Form and Purity of Worſhip preſently 'within this Church, and its Presbyterian Government and 'Diſcipline, eſtabliſhed by the Acts of Parliament purſuant to the *Claim of Right*, are to remain and continue 'Unalterable, and that the Act of Parliament ſecuring our 'Presbyterian Church Government, and the Eſtabliſhment 'thereof, are to be held and obſerved in all Time coming, 'as a fundamental and eſſential Condition of the *Treaty of 'Union*, concluded betwixt the two Kingdoms, without 'any *Alteration* thereof, or *Derogation* thereto, in any Sort 'for ever.

'We cannot but with all humble Duty and Submiſſion, 'take Notice of another Bill preſented in the Parliament of '*Great Britain* for reſtoring of *Patronages*: Which we conceive is contrary to our Church Conſtitution, ſo well ſecured by the *Treaty of Union*, and ſolemnly ratified by the 'Acts of Parliament of both Kingdoms, and will inevitably 'obſtruct the Work of the Goſpel, and create great Diſorder 'and Diſquiet in this Church and Nation. For the further 'clearing whereof, we beg Leave to Repreſent to Your 'Majeſty, That from our firſt Reformation from Popery, 'Patronages have been reckoned a Yoke and Burden upon 'the Church of *Scotland*, as is declared by the firſt and ſecond Books of Diſcipline, publiſhed ſoon after the ſaid 'Reformation. Since which Time they were ſtill judged 'a Grievance, till at length they came to be by Law 'aboliſhed.

'Theſe Patronages having been reſtored with Prelacy in 'the Year 1661 and 1662, did indeed continue till the Year '1690, that Prelacie was aboliſhed, and Presbyterian Government again eſtabliſhed; And tho' the Act of Parliament 1690, re-ſettling Presbyterian Church Government, 'was founded upon the Act of Parliament 1592, which 'bears a Relation to Patronages, yet the ſaid Act of

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'Parliament 1690, doth expreſly except that Part of the 'Old Act, and refer Patronages to be afterward conſidered, 'which accordingly followed in the ſame Parliament 1690. 'Whereby Your Majeſty may plainly perceive that the 'Abolition of Patronages was made a Part of our Church 'Conſtitution, enacted by the Act 1690, and that this Act '1690, with all other Acts relative thereto, being expreſly 'Ratified, and for ever Confirmed by the Act ſecuring the 'Proteſtant Religion, and Presbyterian Church Government, 'and Ingroſſed as an eſſential Condition of the Ratifications of 'the *Treaty of Union*, paſt in the Parliaments of both King-'doms, the ſaid Act aboliſhing Patronages, muſt be un-'derſtood to be a Part of our Presbyterian Conſtitution, 'ſecured to us by the *Treaty of Union*, for ever.

'Yet the ſame Parliament 1690, was ſo tender of the 'civil Rights of Patrons, and ſo ſincerely deſirous only to 'reſtore the Church to its juſt and primitive Liberty, in 'calling Miniſters, in a Way agreeable to the Word of 'God, that they only diſcharged the Patrons Power of 'Preſenting Miniſters to Churches vacant: But as to any 'Thing of their civil Rights, did better the Condition of 'Patrons, not only by reſerving to them the Right of Diſ-'poſal of vacant Stipends, for pious Uſes within the Pariſh, 'but alſo giving to them the heritable Right of the Tithes, 'reſtricting the Miniſters who formerly had the ſaid Right 'to Stipends much below the Value of the ſaid Tithes.'

'This being then the true Account of our legal Settle-'ment, as to this Matter, we preſume alſo in all humble 'Duty, to repreſent to Your Majeſty, That the Reſtitution 'of Patronages, as to the Point of Preſentation, can only 'Gratifie a few, while on the other Hand it muſt neceſſar-'ly Diſoblige a far greater Part of Your Majeſty's good 'Subjects, that are now freed of that Impoſition.

'Neither can we forbear to ſuggeſt to Your Majeſty, 'That from what is ſaid, it may eaſily be gathered what 'Difficulties and Hardſhips Presbyteries may be laid 'under, as to their Complyance with this Innovation, 'and what Differences, Conteſts and Diſorders, may pro-'bably enſue betwixt Patrons, Presbyteries, Heritors and 'People, beſide the known Abuſes wherewith Patronages 'have been attended, even in their moſt ſettled Conditi-'on, whereof many Inſtances might be given, eſpecially 'that thereby a Fundation was laid for *Simoniacal* Pactions 'betwixt Patrons and thoſe preſented by them; and like-'wiſe Miniſters were impoſed upon Pariſhes, by Patrons 'who were utterly Strangers to their Circumſtances, hav-'ing neither Property nor Reſidence therein.

'And therefore, we cannot but moſt humbly and ear-'neſtly obteſt Your Majeſty, to conſider this Affair of re-'ſtoring Patronages in this Church, with all its Circum-

'ſtances and Conſequences: And ſince through the Bleſ-
'ſing of GOD, and Your Majeſty's gracious Protection,
'we have hitherto been at Quiet and Eaſe in this Matter,
'That Your Majeſty would be graciouſly pleaſed in Your
'great Wiſdom, to uſe proper Means for preventing this
'Encroachment, ſo evidently prejudicial to the Work of
'the Goſpel, and the Peace of this Church.

'That Your Majeſty may be Guided and Directed of
'GOD, in the great and weighty Affairs of Your Govern-
'ment, and that after the Fulneſs of Earthly Bleſſings here,
'You may for ever wear a Crown of Glory that fadeth
'not away, are the earneſt and fervent Prayers of,

May it pleaſe Your Majeſty,

Your Majeſty's moſt Faithful, moſt Obedient, and moſt humble Subjects,

The Miniſters and Elders, Commiſſioners of the late General Aſſembly of the Church of *Scotland*:

Signed in our Name, in our Preſence, and at our Appointment, by,

WILLIAM MITCHEL Moderator.

AND the General Aſſembly doth not only approve of the foreſaid two *Addreſſes* and *Repreſentations* above inſert; But alſo hereby do further Impower the Commiſſion appointed by them, to Advert Carefully to the Concerns of this Church, in the Matters above mentioned, and Ordains them to uſe all dutiful and proper *Means* for obtaining Redreſs, of what is, or may be found therein Grievous; And to Advert to, and lay Hold, with all Duty and Deference, on every fit Occaſion, for that Effect.

XI.

ACT Appointing the more frequent Celebration of the Sacrament of the LORD's Supper.

Edinburgh, 13. *May* 1712. Seſſ. 11.

THE General Aſſembly, conſidering that the Aſſemblies of this National Church, have, by ſeveral Acts, appointed the frequent Celebration of the holy Sacrament of the LORD's Supper, in all the Congregations of this Church: And judging that the due Obſervation of

of these Acts will greatly tend to the Glory of GOD, and Edification of Souls. Therefore, they do hereby enjoin all Presbyteries to Enquire, if the said Acts be duly observed by all the Brethren; And in Case any Minister shall neglect to Celebrate the Sacrament of the LORD's Supper in his Parish for a whole Year, the Assembly appoints the Presbytery in which the said Parish lies, to call for an Account of the Reasons of his Omission of that great and solemn Duty and Ordinance, and to Approve or Disapprove the same as they shall see Cause, and to record their Diligence in this Matter. And for making this and other Acts and Recommendations of Assemblies effectual, the General Assembly enjoins the Synods at their several *Meetings*,to enquire at the Pesbyteries within their Bounds, what Care they have taken to execute the said Act, and other Recommendations foresaid, and ordains that their Books shall bear an Account of their Diligence therein: And in order thereto, the Assembly appoints the several Synods, to make up a Roll of all *Matters* that have been, or shall be recommended by the Assemblies of this Church, to be enquired at Presbyteries, and ordains the said Roll to be inserted in their Register, and given to the Visitors of the Presbytery Books, that they may take Notice of, and report the Diligence of Presbyteries in executing the said Acts and Recommendations. And in like manner it is agreed, That the Assembly shall make up a Roll of all *Matters* appointed to be enquired at Synods, and ordains every new Act and Recommendation, so soon as they are made, to be added to the said Rolls, that thereby the General Assemblies may know how their Acts and Recommendations are observed by the several Synods and Presbyteries of this Church.

XII.

ACT for the farther Encouragement of Students having Irish.

Edinburgh, 13. *May* 1712. *Post Merid.* Sess. 12.

THE General Assembly recommends to Synods, to admit no more Bursars having the *Irish Language*, but so many, to each of whom they are in a Condition to pay ten Pounds *Sterling* at least, and for that End, appoints the Bursaries of more Presbyteries than two or three, if they be small, to be joined together to make up the said Sum: And for making this Recommendation the more Effectual, the Assembly appoints the several Presbyteries, to send in to the *Meeting* of the Commission of this Assembly in *July* next, a particular and distinct Account of the

Quotas of their Burſaries, ſubſcribed by their *Moderator* and Clerk, and appoints the Commiſſion to Proportion the ſaid Burſaries in the ſeveral Diſtricts, ſo as to make ten Pounds *Sterling* at leaſt to each Burſar, out of the half of the Burſaries appropriated by the Acts of Aſſembly for that Uſe. And conſidering that there are ſeveral hopeful young *Men* unprovided, the Aſſembly requires the ſeveral Synods timeouſly to fill up their vacant Burſaries, in manner abovementioned, and ordains them to Examine Burſars, at leaſt once every Year, at their *Meetings*, in Harveſt or Winter. And the Aſſembly underſtanding, that there are many of the Students who rely upon theſe Burſaries for their Maintenance and Encouragement, that are reduced to great Straits through not Payment thereof, they do enjoin Preſbyteries to pay in punctually their ſeveral Proportions of the ſaid Burſaries, and appoints the Names of Deficients to be given in to the Meetings of the Commiſſion, that immediately preceed each Aſſembly. And the Aſſembly inſtructs their Commiſſion to look out for hopeful young Men having the *Iriſh Language*, in order to be put on Trials, and renews the Powers given to the laſt Commiſſion, to this Effect.

XIII.

Advice concerning Soldiers under Scandals.

Edinburgh, 13. *May* 1712. *Poſt Merid.* Seſſ. 12.

THE General Aſſembly conſidering, That it may prove Inconvenient to bring Soldiers under Scandals, back to the Pariſhes where they were Delated as Guilty, to ſatisfie Church Diſcipline there, after they are removed to Places very Remote: Therefore, in caſe of Scandals among Soldiers, the Aſſembly does adviſe Kirk-Seſſions to proceed without Delay againſt the Delinquents, ſo ſoon as the Scandal breaks out: And in caſe the Soldiers guilty be removed from their Bounds before any Scandal breaks out, or during the Dependence of the Proceſs againſt them, the Aſſembly allows, That the ſaid ſcandalous Soldiers ſatisfie Church Diſcipline, in the Pariſh where they are quartered for the Time; And appoints the Kirk-Seſſion of that Pariſh, to report what is done, to the Kirk-Seſſion of the Pariſh in which the Scandal broke out, or where the Proceſs was Commenced, that they may Cauſe intimate the ſame in their Congregation. And the Aſſembly adviſes Church Judicatures to proceed with all Tenderneſs and Prudence, in dealing with Strangers, ſo that the Ends of Church Diſcipline may be reached.

XIV.

ACT Concerning the Preservation of the Registers of the General Assembly.

Edinburgh, 13. *May* 1712. *Post Merid.* Sess. 12.

THE General Assembly judging it sufficient for the Preservation of the Records of this Church, that Copies thereof be lodged in the Library of each University, according to the Act past in the Assembly 1692, and this in Place of sending them to each Synod, as was ordered by the General Assembly 1703: Therefore, they do hereby appoint, That a Copy of the Proceedings of every Assembly be sent to the Library of each of the Universities in *Scotland*, to be lodged there, and kept for the Use of the Church and Judicatories thereof, and that the Faculties of the several Universities, do, upon Receipt of the said Copies, send in to the Commissions of each General Assembly, an Extract of an Act of their Faculty, under their Clerk's Hand, acknowledging the Receipt of the said Copies, and that they are lodged in their Library, only in Trust, for the Use and Behoof of the Church, and obliging them to make them furthcoming to any of the Judicatories of this Church that calls for them, upon their Receipt and Obligement to return the same: And the Assembly repeals the said Act 1703, which appoints Copies to be sent to each Synod, upon the publick Charges of the Church, but allows the Clerk of Assembly, to give Copies to such of the Judicatories of this Church, as shall call for them, upon their own Expences.

XV.

Commission to some Ministers to join with the Presbytery of Lorn, *for visiting* Lochaber, *and other Parishes in the Bounds of that Presbytery.*

Edinburgh, 14. *May* 1712. *Ante Merid.* Sess. 13.

THE General Assembly having had under Consideration the State of *Lochaber* and other Parishes within the Bounds of the Presbytery of *Lorn*, the Length and Breadth thereof, the Abounding of Popery therein, and Want of Schools in those Parts, judged it necessary that three Ministers from the *Lowlands*, and as many from the Synod of *Argyle*, should be sent to join with the said Presbytery of *Lorn*, to Perambulate the said Bounds, Discourse

with the Heritors and Inhabitants, concerning new Erections of Churches in that Country, and Settlement of Schools therein, and to endeavour to get Places condescended on for that Effect, and to obtain in Writ the Consent of the Heritors. And the General Assembly did, and hereby do Nominate, Commissionate and Appoint, the Reverend Mr. *Neill Campbell* Minister at *Rosneath*, Mr. *Daniel M'Gilchrist* at *Luss*, Mr. *Alexander Fraser* at *Croy*, Mr. *Dugald Steuart* at *Rothesay*, Mr. *Daniel M lean* at *Kilbride*, and Mr. *Duncan Campbell* at *Kilchranan* Ministers, to join with the said Presbytery of *Lorn*, for the Ends above mentioned: And also, for preaching the Gospel, visiting of Families, and doing other Ministerial Duties in the said Country. And the General Assembly appoints the Persons above-named, and the foresaid Presbytery of *Lorn*, to meet for the Ends foresaid at *Fort-William*, the first *Wednesday* of *July* next to come, at Ten of the Clock Forenoon, and to continue in that Country, in Prosecution of the Ends of this their Commission, such Part of this Summer as they shall find necessary for the Effect foresaid, and report to the next General Assembly.

XVI.

ACT Concerning the Oath of Abjuration.

Edinburgh, 14. *May* 1712. *Ante Merid.* Sess. 13.

THE General Assembly, in Pursuance of the Reserve made by them in their Approbation of the Proceedings of the Commission of the last General Assembly of this Church, taking into their more particular Consideration, the Proceedings of the said Commission, about the Oath of Abjuration; And more especially, the humble Address and Representation of the said Commission, made to the Queen's most Excellent Majesty in that *Matter*; They do Approve and Ratifie the foresaid Proceedings, and more especially the foresaid humble Address and Representation, judging the same to have been True, Dutiful, Faithful, and most Seasonable: And in Token of their said Approbation, have Ordained, and hereby Ordain the said humble Address and Representation to be here insert *Verbatim*, as follows,

Unto

Unto the QUEEN's most Excellent MAJESTY,

The humble Address and Representation of the Commission of the General Assembly of the Church of Scotland, *met by Appointment of the said Assembly, at* Edinburgh *the 5th of March, One thousand seven hundred and twelve Years.*

May it please Your Majesty,

'UPON Notice we had of a Bill depending in Parliament, Intituled, *A Bill to prevent the Disturbing of those of the Episcopal Communion in* Scotland, *in the Exercise of their Religious Worship, and in the Use of the Liturgy of the Church of* England; We in all Humility presumed to Address Your Majesty for the Preservation of our present Establishment, as secured to us by Law, and for preventing the Inconveniencies that might ensue on the foresaid Toleration, at the passing whereof thereafter in both Houses of Parliament, we cannot but be deeply affected.

'But now that by the foresaid Bill, the Oath of Abjuration, Enacted for the better Security of Your Majesty's Person and Government, and the Eablishment of the Succession to the Crown in the Protestant Line, is appointed to be taken by all Ministers; We do, in most humble Duty, truly and sincerely own and acknowledge, That Your Majesty is Lawful and Rightful Queen of this Realm, and of all Your other Dominions and Countries thereunto belonging: And do solemnly and sincerely Declare, That we do believe the Person pretended to be the Prince of *Wales*, during the Life of the late King *James*, and since his Decease pretending to be, and taking upon himself the Stile and Title of King of *England*, by the Name of *James* the Third, or of *Scotland*, by the Name of *James* the Eighth, or the Stile and Title of King of *Great Britain*, hath not any Right or Title whatsoever, to the Crown of this Realm, or any other of the Dominions thereunto belonging; And we do most heartily Renounce and Refuse any Allegiance or Obedience to him; And we withal, solemnly and sincerely Profess, That we will bear Faith and true Allegiance to Your Majesty, in all Duties and Occasions whatsomever, that can be Incumbent on us: And further, we do faithfully Promise to the utmost of our Power, to Support, Maintain and Defend the Succession of the Crown in the Protestant Line, against the said Pretender, and all other Persons whatsoever, understanding the foresaid Oath of Abjuration in the fullest Sense, wherein it can be understood, to Renounce and Disclaim any Right that the said Pretender can claim to Your foresaid Dominions; And in the plain Sense of the

'Words, in ſo far as the ſaid Oath, and the Acts to which 'it refers, Settles and Entails the Succeſſion of the Crown 'of theſe Dominions, for Default of Iſſue of Your Majeſty, 'on the Princeſs *Sophia* Electoreſs Dutcheſs Dowager of '*Hanover*, and the Heirs of her Body being Proteſtants.

'But ſeing we cannot diſſemble with Your Majeſty, 'that there remains a Scruple with many, as if the Con-'ditions mentioned in the Acts of Parliament, Eſtabliſhing 'the Succeſſion, referred to by the ſaid Oath, were to be 'underſtood as a Part thereof, and that to Swear to ſome-'thing in theſe Conditions, ſeems not conſiſtent with our 'known Principles: And that it is Expreſly Declared and 'Statuted, by the Treaty & Articles of Union, and the Acts 'of Parliament of both Kingdoms Ratifying the ſame, That 'none of the Subjects of *Scotland* ſhall be liable to, but all 'and every one of them for ever free, of any Oath, Teſt, 'or Subſcription within *Scotland*, contrary to, or incon-'ſiſtent with our preſent Presbyterian Church Eſtabliſh-'ment; We in the moſt Humble and Dutiful manner, moſt 'earneſtly Beſeech and Obteſt, That this our Addreſs 'and Repreſentation, and moſt Sincere Declarations there-'in contained, may be Graciouſly accepted by Your Maje-'ſty, without Reſpect to the foreſaid Conditions ſcrupled 'at, as the juſt and true Signification of our Allegiance and 'Duty, and our Senſe of the foreſaid Oath and Engage-'ment, to prevent all Miſtakes and Miſ-repreſentations that 'poſſibly we may be liable to in this Matter.

'That the LORD may Eminently Bleſs Your Majeſty, 'and after a long and happy Reign upon Earth, Receive 'You into everlaſting Glory, is and ſhall be the Earneſt 'Prayers of,

May it pleaſe Your Majeſty,

Your Majeſty's moſt Faithful, moſt Obedient, and moſt Humble Subjects,

The Miniſters and Elders, Commiſſioners of the late General Aſſembly of the Church of *Scotland.*

Signed in our Preſence, in our Name, and at our Appointment, by

WILLIAM MITCHEL *Moderator.*

AND the Aſſembly further Conſidering, That it hath pleaſed Her Majeſty, in Her Gracious Letter to this Aſſembly, to Declare, That the ſaid Addreſs of the Commiſſion preſented to Her by thoſe therewith Entruſted, did ſo much manifeſt their Loyalty and good Affection to Her Royal Perſon

Person and Government, and their true Concern for the Succession in the Protestant Line by Law Established, That it could not but be acceptable, as giving Her Majesty good Ground to expect, that there will be nothing in the Procedure of this Assembly, but what shall be Dutiful; And withal, Considering, That such of this Church as have taken, or may be clear to take the foresaid Oath of Abjuration, and such as are not clear, do all equally Profess, that they heartily agree to all the Points of Loyalty and Duty above asserted; the Security whereof appears to be intended by the said Oath, as fully Witnessed by Her Majesty's foresaid Gracious Acceptation; And that such as are not clear to take the said Oath, as it is proposed, do differ, as being apprehensive that the Oath, as it stands *in terminis*, doth contain, or may be Interpret to imply some further Engagement not agreeable to our Principles, and such as can be only cleared by the Legislator, which such as are clear (if they did not judge Groundless) would be as careful to avoid; Therefore the Assembly for a full and unanimous Manifestation of their Loyalty and Duty in the Premisses to all concerned; And withal, to establish a right and good Understanding among themselves, and all the Members of this Church, in the *M*atters wherein they are agreed, and to prevent, as much as possible, all *M*istakes upon the foresaid Difficulties, and different Practices that may thereon ensue, to the Prejudice of true Christian and mutual Charity, have thought fit to Declare, and do hereby solemnly Declare and Ascertain their Allegiance to Her *M*ajesty Queen *ANNE*, as only Lawful and Rightful Queen of this Realm, and all other Her *M*ajesty's Dominions and Countries thereunto belonging: And their Disowning and Disclaiming of the foresaid Pretender, his having any Right or Title whatsoever to the Crown of this Realm, or any other of the Dominions thereunto belonging; And therefore, Renouncing and Refusing all Allegiance and Obedience to him; and that they will bear Faith and true Allegiance to Her Majesty, in all Duties and Occasions whatsoever, that can be incumbent on them: And further, That they do Promise Faithfully, to the utmost of their Power, to Support, Maintain and Defend the Succession of the Crown in the Protestant Line, Settled and Entailed, for Default of Issue of Her Majesty's Body, on the Princess *Sophia* Electoress and Dutchess Dowager of *Hanover*, and the Heirs of Her Body being Protestants, against the said Pretender, and all other Persons whatsoever: Which being the Obligations and Duties contained in the said Oath, wherein we are all agreed, the General Assembly doth most seriously obtest all the Ministers and Members of this Church, whatever may happen to be their different Practice, to entertain a good Understanding herein, in all mutual Forbearance, firmly hoping, through the Grace of

GOD, that if they continue in the same good Mind, seeking and serving the LORD in Sincerity, and bearing with one another in mutual Love and Charity, our Gracious GOD will Extricate us out of all these Difficulties.

XVII.

An Address to the QUEEN concerning the Oath of Abjuration.

At *Edinburgh May* 14. 1712.

To the QUEEN's most Excellent MAJESTY,
The humble Address of the Ministers and Elders met in the General Assembly of the Church of SCOTLAND.

May it please Your Majesty,

THE Commission of the last General Assembly of this Church, being informed, that the Oath of Abjuration was to be enjoined to all the Ministers thereof, did enter into an humble Address and Representation to Your Majesty, for declaring and ascertaining their Loyalty to Your Majesty, their Disowning and Disclaiming of the Pretender, and their faithful promising to the utmost of their Power, to Support, Maintain and Defend the Succession of the Crown in the Protestant Line, Settled and Entailed on the Princess *Sophia* Electoress and Dutchess Dowager of *Hanover*, and the Heirs of Her Body, being Protestants, against the said Pretender, and all other Persons whatsoever; But withal, did humbly suggest to Your Majesty, that a Scruple remained with many, as if the Conditions mentioned in the Acts of Parliament, establishing the Succession, referred to by the said Oath, were to be understood as a Part thereof, which is judged not to be consistent with our known Principles: And therefore, did plead to be relieved in the Terms of the *Treaty*, and Articles of the *Union*. And Your Majesty have been pleased in Your gracious Letter to this Assembly, to Declare, That the said Address did so much manifest their Loyalty and good Affection to Your Royal Person and Government, and their true Concern for the Succession in the Protestant Line, that it could not but be acceptable. We at present met in this Assembly, finding that the foresaid Scruples do still remain with many of us, thought fit in Pursuance of our most humble Duty, and for further Manifestation of our Loyalty in the Premisses, and for establishing a right and good Understanding among the Ministers and Members of this Church, to renew the foresaid Declaration and Assertion of our Loyalty to Your Majesty, as our only Lawful and Rightful Sovereign, and of our true and zealous Concern for the Succession of the

Crown

Crown in the Protestant Line, against the said Pretender, and all other Persons whatsoever. But seing that the aforesaid Scruples as to the said Oath, do still remain with many of us, and that Your Majesty may plainly perceive how that all the Ministers of this Church, do, notwithstanding of the foresaid Scruples, fully agree in their asserting their Loyalty to Your Majesty, and disowning any Right or Title in the Pretender, or any other, and their dutiful and zealous Concern for the Succession of the Crown in the Protestant Line, All which Points we are willing to affirm by our great Oath, if thereto required. We cannot but in all humble Duty to Your Majesty, and Christian Charity to one another, and for preserving the Unity, Peace and Quiet of this Church, most humbly and earnestly Address Your Majesty, That such of us as may remain unclear as to the taking of the said Oath, may yet be favourably regarded by Your Majesty, as your most Loyal and Dutiful Subjects: And that Your Majesty would be graciously pleased to Interpose for their Relief, in such Manner as in Your Royal Wisdom You shall judge Expedient. And this most humble Address, we, with all Submission, are moved to make, with the greater Earnestness, That we are, all of us, most seriously desirous to keep, the Ministers of this Church, and all under their Charge, in the greatest Unanimity, as to the Points of Loyalty and Duty to Your Majesty, and in Peace and Concord among themselves, for the advancing of Your *Majesty's* Service, and the Honour and Interest of Your Government.

That Your Majesty's Reign may be Long and Prosperous, and that You may be Guided and Directed of GOD, in the great and weighty Affairs of Your Government, and that Your Councils and Undertakings may be still Successful, for Preserving and Defending the Reformed Protestant Interest at Home and Abroad, are the earnest and fervent Prayers of,

May it please Your Majesty,

Your Majesty's most Faithful, most Obedient, and most Humble Subjects,

The Ministers and Elders, met in this National Assembly of the Church of *Scotland*.

Signed in our Presence, and at our Appointment, by

WILLIAM HAMILTON Moderator.

XVIII.

An Addreſs to the QUEEN, Concerning the Repreſentations made to Her MAJESTY by the late Commiſſion.

Edinburgh, 15. *May* 1712. *Ante Merid.* Seſs. 15.

To the QUEEN's moſt Excellent MAJESTY,

The humble Addreſs of the Miniſters and Elders met in the General Aſſembly of the Church of SCOTLAND.

May it pleaſe Your Majeſty,

HAVING taken Liberty in another Addreſs humbly to repreſent to Your Majeſty, what may tend to the full Declaration of our Duty and Loyalty to Your Majeſty, and our ſincere Concern for the Succeſſion in the Proteſtant Line, and for procuring Relief and Eaſe to ſuch of us as may find our ſelves Straitned, as to the taking of the Oath of Abjuration, in the Manner appointed: We being met in the General Aſſembly of this Church, do, in all humble Duty, beg Leave to put Your Majeſty further in mind of the Things which were laid before Your Majeſty by the Commiſſion of the laſt General Aſſembly, as Grievous and Prejudicial to this Church; And indeed the late Occurrences that have happened, do ſo nearly affect our well ſettled and ſecured Church Eſtabliſhment, that we cannot poſſibly be ſilent, That the Inconveniencies and Troubles that we thence apprehend, may never be found amongſt us, is our moſt ſerious Wiſh. But ſince Your Majeſty in Your Gracious Letter to this Aſſembly, hath been pleaſed not only to aſſure us of Your firm Purpoſe to maintain the Church of *Scotland* as eſtabliſhed by Law; But alſo, that You will imploy Your utmoſt Care to Protect us, and Redreſs our juſt Complaints, we moſt humbly beg Leave to acquaint Your Majeſty, That we have Inſtructed and Impowered the Commiſſion appointed by this Aſſembly, to Advert carefully to all good Opportunities, and to uſe all proper and dutiful Means and Methods, whereby theſe our Grievances may be happily Redreſſed.

And therefore, we do in all humble Duty Addreſs Your Majeſty, That according to Your wonted Goodneſs, and the gracious Condeſcendence wherewith You have favoured us on the like Occaſions, Your Majeſty would be pleaſed to give ſuch Countenance to the Addreſſes that may happen

happen to be made to Your Majesty, by our said Commission, for Relief in the Premisses, and to interpose Your Royal Authority in such Sort for a just Redress, that this Church may still have the Comfort of Your Majesty's Protection, with the Benefit of the Royal Assurances that have been so often confirmed to us.

That GOD may long preserve Your Majesty for the Good of all Your People, and the Protection and Comfort of all the Churches of CHRIST, and that after a prosperous Reign upon Earth, You may enjoy an Eternal Crown in Heaven, is and shall be the sincere Prayer of

May it please Your Majesty,

Your Majesty's most Faithful, most Obedient, and most Humble Subjects,

The Ministers and Elders, met in this National Assembly of the Church of *Scotland.*

Signed in our Presence, in our Name, and at our Appointment, by

WILLIAM HAMILTON *Moderator.*

XIX.

ACT Appointing the Diet of the next General Assembly.

Edinburgh, 15. *May* 1712. Sess. 13. & Ult.

THE next General Assembly of this Church, is appointed to be held at *Edinburgh* the last *Thursday* of *April* next, One Thousand Seven Hundred and Thirteen Years.

This General Assembly was concluded with Prayer, Singing the 133 *Psalm, and pronouncing of the Blessing.*

Collected and Extracted from the Registers of the General Assembly, by

JO: DUNDAS, Cls. Eccl. Scot.

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Mr. *William Carſtares*, Mr. *Thomas Blackwell* and Mr. *Robert Baillie*, Commiſsioners for managing this Church's Affairs at *London* laſt Winter, get the Aſsembly's Thanks for their Faithfulneſs, Care and Diligence; and it is referred to the Commiſsion to Re-imburſe them of their Charges. *Ibid.*

The Synod Books of *Fife*, *Angus* and *Merns*, *Roſs* and *Sutherland*, *Orkney*, *Lothian* and *Tweeddale*, *Merſe* and *Teviotdale*, *Galloway*, and *Air*, and *Glaſgow*, atteſted, with ſome Remarks on the Synod Books of *Merſe* and *Glaſgow*. *Ibid.*

The Queen's Commiſsioner did acquaint the General Aſſembly, that Her *Majeſty* had given new Aſsurances of Her Reſolution to Protect this Church, and Defend the Miniſters and Judicatories thereof, from Inſults, and to Redreſs their juſt Complaints. *Ibid.*

Reference to the Commiſsion, to give all due Encouragement and Aſsiſtance to the Synod of *Roſs* and *Sutherland*, in their Difficulties, as they ſhall be applyed to for that Effect. *Ibid.*

One Miniſter out of every Synod, was named by the General Aſsembly, to meet with the Committee of the Society for promoting Chriſtian Knowledge, and new Advertiſement was given to any other who pleaſed to meet with them alſo, in order to be Satisfied, as to the Society's *Management*. *Ibid.*

His Grace Her *Majeſty's* Commiſsioner, did acquaint the General Aſsembly, That the Queen had graciouſly received their Anſwer to Her Letter, and was well ſatisfied with the Expreſsions of Duty and Loyalty contained therein. *May* 13. 1712. Seſſion 11.

Thoſe named to meet with the Committee of the Society for promoting Chriſtian Knowledge, reported they had

ſeen their Books, and diſcourſed concerning the Society's Management, and declared their great Satisfaction therewith. *Ibid.*

The Synod Book of *Aberdeen* atteſted, *Ibid.*

Agnes Campbell Relict of *Andrew Anderſon*, Printer to Her Majeſty, appointed to be Printer to this Church. *Ibid.*

Act declaring *Mr. John Grant* Miniſter of *Killimure* Weſter, Tranſportable to any Pariſh within *Scotland*. *Ibid.*

Reference to the Commiſsion, of a Proceſs at the Inſtance of the Earl of *Breadalbine* and others, for removing Mr. *Archibald Campbell* Miniſter, from *Weem*. *Ibid.*

Mr. *Alexander Fraſer* appointed to repair to the Bounds of the Presbytery of *Inverneſs*, and Synod of *Roſs*, ſo ſoon as he ſhall be Licenced, *May* 13. 1712. *Poſt Merid.* Seſsion 12.

Act and Reference to the Commiſsion, concerning the Planting of *Dingwall*, and appointing a Letter to be written to that Pariſh. *Ibid.*

Reference to the Commiſsion, to enquire into a *Mortification* by the deceaſt Lady *Jean Campbell* Viſcounteſs of *Kenmure*, for the Uſe of the late ſuffering Presbyterian Miniſters. *Ibid.*

Reference to the Commiſsion, of an Appeal by the Presbytery of *Air*, from their Synod, concerning Burſars Dues. *Ibid.*

Reference to the Commiſsion, to audite *John Blair's* Accompts. *Ibid.*

Reference to the Commiſsion, concerning the Deficients in paying in the two Quarter *Centeſimas*. *Ibid.*

Recommendation to Synods and Presbyteries, to ſend in to the Commiſsion, an Account of the Names of their Burſars, when their Burſaries fall Vacant, what the ſame amounts to, and how paid: Mr. *Daniel Campbell* recommended to the Synod of *Perth*, and Mr. *Patrick Pollock* to the Synod of *Glaſgow*, Mr. *Neil Simpſon*, Mr. *William M'leod*, Mr. *Neil M'kenan*, and *William Steuart*, recommended to the Synods of *Dumfreis* and *Galloway*, for Burſaries. *Ibid.*

Reference to the Commiſsion, to think upon ſome Overtures for ſecuring the Compearance of Soldiers under Scandals, before Church Judicatories, *May* 14. 1712. Seſsion 13.

Mr. *Andrew Sutherland* and *Patrick Cuming* Students, recommended to the Synod of *Lothian*, and Presbyteries of *Dumbar* and *Haddingtoun*, to be preferred to Burſaries, when the ſame falls Vacant. *Ibid.*

Reference to the Commiſsion, concerning the obtaining of Acceſs to the vacant Church of *Arbuthnot*. *Ibid.*

Re-

Reference to the Commiſsion, concerning Catechiſts for the Bounds of *Braemar*, *Crathie*, and other Places thereabout. *Ibid.*

Remit to the Committee of Bills, concerning the Call of *Closburn*, to *Mr. George Mair*. *Ibid.*

An Addreſs to the Queen, concerning the Oath of Abjuration, being Approven, His Grace Her *Majeſty's* Commiſsioner was pleaſed to undertake to tranſmit the ſame to Her *Majeſty*, *May* 14. 1712. *Poſt Merid.* Seſsion 14.

Reference to the Commiſsion, of all Affairs referred by the laſt General Aſsembly to their Commiſsion, or which were depending before them, and not diſcuſt. *Ibid.*

Intimation to Deficients, anent bringing in their Contributions for theſe in *Cannongate*, who ſuffered by the late Fire there, to *John Cleghorn*; As alſo, for Mr. *John Lowis* at *New-Caſtle*. Mr. *John James Cæſar* the *German* Miniſter, and Mr. *Alexander M'crackan* in *Ireland*, and paying the ſame to *Nicol Spence*, according to former Recommendations. *Ibid.*

A Committee named for conſidering further of the Proceſs concerning the Call of *Closburn* to Mr. *George Mair*. *Ibid.*

Her Majeſty's Commiſsioner was pleaſed to undertake to tranſmit the General Aſsembly's Addreſs to the Queen, concerning the Repreſentations made to Her Majeſty by the late Commiſsion. *May* 15. 1712. Seſsion 15.

Liſt of Probationers for the holy Miniſtry, and Students of Divinity, brought in, and ordered to be recorded. *Ibid.*

Reference to the Commiſsion, of the Affair concerning the Settlement of Mr. *George Mair* at *Closburn*. *Ibid.*

Recommendation to all Synods, Presbyteries and Kirk-Seſsions, to be much in Prayer for Direction to the Miniſters and Judicatories of this Church, and that GOD would preſerve what He has wrought for us, and to return Thanks to GOD for bringing this Aſsembly to ſo comfortable a Concluſion. *Ibid.*

Proteſtation, Mr. *Neil Steuart* Factor for his Grace the Duke of *Athol* and others, againſt the Heritors of *Dull*, for not inſiſting in their Appeal from the Synod of *Perth* to this Aſsembly, concerning Mr. *Thomas Menzies*'s Settlement there. *Ibid.*

Proteſtation, Mr. *David Anderſon* and others, againſt Mr. *William Hunter* at *Tyrie*, for not inſiſting in his Appeal from the Synod of *Aberdeen* to this Aſsembly, in a Proceſs againſt him. *Ibid.*

Proteſtation, Mr. *James Guthry* and others, againſt Captain *James Forreſter* and others, in the Pariſh of *Cummer-*

mertrees, for not insisting in their Appeal from the Synod of *Dumfreis* to this Assembly, for not Reponing Mr. *Archibald Steuart*. *Ibid.*

Intimation, to such as are deficient in paying in their Contributions for promoting Christian Knowledge, that the Society's Treasurer is to wait on them to Morrow, for receiving thereof. *Ibid.*

Minutes of this and the former Sederunts read over. *Ibid.* And a Committee named for Revising the whole, and giving Orders about printing the publick Acts. *Ibid.*

The Moderator's Speeches at closing the Assembly, to the Members, and to His Grace Her Majesty's Commissioner. *Ibid.*

His Grace Her Majesty's Commissioner's Speech to the General Assembly, after they had gone through their whole Work. *Ibid.*

FINIS.